

**UTILITY ADVISORY COMMITTEE  
CITY OF FORT LAUDERDALE  
CITY HALL 8<sup>TH</sup> FLOOR CONFERENCE ROOM  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA 33301  
FEBRUARY 22, 2011 – 6:30 P.M.**

Cumulative  
January 2011-  
December 2011

<b>Committee Member</b>	<b>Attendance</b>	<b>Present</b>	<b>Absent</b>
Bunney Brenneman, Chair	P	2	0
Robert Cole, Vice Chair	P	1	1
Maria Canady	A	1	1
L. Thomas Chancey (arr. 6:43)	P	2	0
Don Larson	P	2	0
Ruchel Louis (dep. 7:19)	P	1	1
Terri Murru	A	0	2
Frances Smoot	A	0	2
Stephanie Toothaker	P	1	0
Jay Weiss	P	2	0
Dennis West (arr. 6:45)	P	1	0

**Staff**

Hal Barnes, Engineering Design Manager  
Brigitte Chiappetta, Recording Secretary

**Guests**

Fred Stresau, Board of Adjustment

**Communications to City Commission**

None.

**I. Call to Order**

Chair Brenneman called the meeting to order at 6:35 p.m.

**II. Roll Call**

Roll was called and it was noted a quorum was present.

**III. Self-Introductions**

The Board and Staff members introduced themselves. Chair Brenneman introduced former Committee member Fred Stresau.

**IV. Minutes of November 23, 2010 Meeting  
Minutes of January 25, 2011 Meeting**

**Motion** made by Mr. Larson, seconded by Ms. Louis, to approve the minutes of the November 23, 2010 meeting. In a voice vote, the **motion** passed unanimously.

**Motion** made by Mr. Larson, seconded by Ms. Toothaker, to approve the minutes of the January 25, 2011 meeting. In a voice vote, the **motion** passed unanimously.

**V. Continuing Business**

- **Discussion on City / People & Planet / GREEN Day**

Chair Brenneman recalled that this event had been discussed at the January 2011 meeting. The green event formerly provided by the Committee has now been taken over by the Kids Ecology Corps, and the event is called the People & Planet Festival and will be held at Riverwalk. City Urban Forester Gene Dempsey remains involved in the event.

She noted the event is scheduled for Saturday, April 2, which follows several weekend events throughout the month of March, including the St. Patrick's Day Parade and the City Centennial birthday party.

Mr. Chancey arrived at 6:43 p.m.

The event's hours are set for 10:00 a.m. to 3:00 p.m., with the intent that it will "piggyback" onto the urban market held on Saturdays to increase traffic. Chair Brenneman observed that the Committee has learned by experience that "it just doesn't happen after 2 o'clock."

Mr. West arrived at 6:45 p.m.

Ms. Louis said it would be difficult to find sponsors near the beginning of March for an April event, and expressed concern that the marketing materials "are not going to be there."

Mr. Chancey said the City of Plantation will be sponsoring its Green Day, which is in its fourth year and is a great success. He felt the City and its Departments should communicate more effectively with each other, and the lack of

communication led to problems. He stated he wished to go on record with this concern regarding communication between the parties that worked together on events.

Chair Brenneman said she had been asked to participate in the People & Planet event, which would mean the involvement of the entire UAC if they wished. She cautioned that she felt their participation could be "too little, too late," and noted that the event falls under the Parks and Recreation Department, with which the Committee has had little involvement.

**Motion** made by Ms. Louis, seconded by Mr. Weiss, that the UAC declines to participate in the City's People & Planet/Green Day because of not enough communication early on.

Chair Brenneman agreed that the Committee "can't be expected to do something at this point in time."

In a voice vote, the **motion** passed 6-0 (Mr. Chancey and Mr. West abstaining).

Chair Brenneman said she would inform the City that the Committee would not be involved in the event.

Mr. Chancey asked to know how the Committee's participation would be defined with respect to the event. Chair Brenneman explained that she had been asked to assist with marketing, although she had advised she was not a marketing expert. The City had also wanted the Committee's help recruiting exhibitors, vendors, and sponsors.

- **Other Continuing Business**

None.

## **VI. New Business**

- **Meeting Attendance, Notification, & Meeting Time**

Mr. Weiss explained that there had not been a quorum present at the previous meeting, and noted that the Committee has had trouble seating a quorum in recent months. He suggested that the email notification of meetings which is sent to members could have "an RSVP function" for members to state whether or not they plan to attend the upcoming meeting. This would allow the Committee to determine if a quorum will not be present and whether or not they wish to hold a meeting in the absence of a quorum.

**Motion** made by Mr. Weiss to have an RSVP function to the notification of the meetings, and to cancel meetings when it appears to the Chairperson that there won't be a quorum.

Ms. Louis asked if the meeting time could be changed to 6:00 p.m. Chair Brenneman said historically, many members have not been able to attend at earlier times.

Mr. Cole noted that the email notification could be sent as an invitation function, which would automatically allow members to RSVP. It was noted that the recipients must have Microsoft Outlook in order to access this function.

Ms. Toothaker **seconded** Mr. Weiss' **motion**.

Mr. Barnes said he would ask that a closing statement be added to the email sent to members containing the Agenda and minutes, asking if they planned to attend the meeting. He said the Outlook invitation would also be sent as a separate step.

In a voice vote, the **motion** passed unanimously.

**Motion** made by Ms. Louis, seconded by Mr. Weiss, to move the meeting to 6:00 o'clock.

Vice Chair Cole and Mr. West advised that they would not be able to attend at this time. Ms. Louis **withdrew** the **motion**.

Chair Brenneman said she would like the Agenda to be prepared and sent to members at an earlier time. She asked if this would be an improvement for the members. Vice Chair Cole observed that if the materials arrive too early, he may not be sure at that time whether or not he can attend the meeting; there is also a risk of the notification getting "buried" in other emails.

Mr. Barnes noted that the Agenda is required to be posted a few days in advance of the meeting, and added that at times it has been difficult to line up speakers for the meeting "up to the last minute." He said the notification or invitation would be sent earlier, and either the Agenda or a cancellation notice would be sent to the members closer to the meeting time. Chair Brenneman said she would like to be able to provide notice of cancellation by the weekend before the meeting.

- **Solar & Alternative Energy Sources**

Mr. Larson reported that a company has purchased 15,000-20,000 acres of land near Lake Okeechobee for a wind farm, where the wind coming off the lake will have a significant effect on these devices. He explained he felt the Committee

should go on record with regard to this issue because there will be "a decibel problem." The Board of Adjustment has not allowed windmills within the City, although they have approved use of a wind turbine.

He continued that the UAC should look into this issue and get sufficient information on wind and other forms of alternative energy. He felt there were "a lot more ramifications" to the issue than were being presented to the public.

Fred Stresau, guest, said the Board of Adjustment had approved a wind turbine in a commercial area, as there was a feeling that they "really needed to try it" after turning down applications for two windmills in residential areas. He said he had urged the City Commission to seek additional expert opinions, and noted that there may not be enough wind in Fort Lauderdale to make the turbines work as desired.

He added that the experts before the Board of Adjustment had assured its members that the turbine would not make enough noise to create a nuisance and would not kill birds.

Ms. Louis left the meeting at 7:19 p.m.

Mr. Larson agreed that the turbines do not cause the same level of noise as windmills. He also expressed concern with how the devices could be "broken down" in the event of a hurricane, as some windmills reach a height of 280-300 ft.

Mr. Chancey requested clarification of windmills and turbines. Mr. Larson said the turbines resemble "a jet engine." Mr. Chancey asked if there had been any discussion of the devices' effect on birds. Mr. Larson said this is a concern in some areas, and noted that the devices are only allowed to be 55 ft. high within the City. He noted that buildings within the City will disturb the wind currents at this lower height, and suggested that this was one reason Lake Okeechobee was chosen as a site for wind devices, as it is an open area.

Mr. Chancey expressed concern that birds would be killed by the wind devices. Mr. Larson said studies on migratory birds are being conducted to determine the birds' patterns, and this will affect where the devices are placed on the wind farm. If they interfere with migratory patterns, they can be shut down during the appropriate season. Mr. Chancey agreed that the birds' pathways should be studied to determine if they would pass through this area.

Mr. Larson said it is not known how many more wind turbines may be erected in the City. He said these could "create some problems" and reiterated that the Committee should learn more about the issues surrounding use of wind devices. Chair Brenneman suggested that the Committee could place this item on the

agenda for the March 2011 meeting and members could give further input on the issue.

Mr. Stresau said he had asked the City Commission to get greater input from experts on the practicality of erecting wind devices in the City. He said the Board of Adjustment had denied two wind devices because the Board was not provided with the information they had requested, including examples of wind patterns at specific sites. He said based on Florida Statutes, however, it was "only a question of time" until an applicant provides all the necessary information for placement of a wind device, and may be able to successfully take the issue to court if the application is denied.

He noted that the two applications denied by the Board of Adjustment were for devices that are 65 ft. in height and would have been placed in residential neighborhoods. By comparison, he noted that most two-storey homes are 20-30 ft. in height, and felt a height of 65 ft. could be a problem in a residential area. He proposed that the UAC could come up with "some technical reasons" why the City should not approve wind devices in residential neighborhoods.

Mr. Larson recalled that one factor in the discussions of wind devices within the City focused on the amount of electricity a device could generate for a home. It could only generate "a fraction" of the necessary energy.

Mr. Weiss said Mr. Larson had raised an interesting point, and recommended that the Committee narrow its focus on alternative energy devices to windmills and wind turbines, and learn as much as possible about these devices. When they have gained some expertise on wind devices, they could focus on another form of alternative energy.

Mr. Larson said he felt Florida Power & Light (FPL) could provide the Committee with some insight on transmission lines and the maintenance of wind devices. Chair Brenneman recalled that the UAC had seen a preliminary presentation on this issue from FPL when net metering was discussed at a previous meeting. Mr. Cole explained that there are "no additional lines" and alternative sources of energy help power the existing grid.

Chair Brenneman agreed that the Committee could "take little pieces at a time" of the research involving wind devices. She said she would schedule some preliminary data prepared by Mr. Larson on the agenda for the March meeting. Mr. Stresau offered to send Chair Brenneman some of the information provided to the Board of Adjustment regarding wind devices.

- **Other New Business**

Chair Brenneman introduced a walk-on Item from Mr. Chancey on line clearance.

Mr. Chancey explained that the UAC was begun because of "trees and power lines;" specifically, there had been an issue of new lines being placed in a residential neighborhood that did not want them. In order to accommodate the placement of power lines, trees were cut. He said another issue with line clearance is "how to cut a tree," as tropical trees have different growth patterns and rates. Mr. Chancey said the habit at one time was to "hatrack" trees, or "chop trees to a stub," in south Florida due to hurricanes. He noted that trees could instead be pruned in a way that would retain a natural look.

He advised that when FPL had to clear trees away from power lines, they have been removed, "flat-topped," or removed on one side. He said trees are cut in these patterns because the individuals cutting them do not understand tree biology, and this can often make the issue worse. He has spoken to FPL's subcontractors to educate them on this problem and show them how to reduce trees so they do not immediately grow back into power lines and are not harmed by cutting. He did not feel, however, that the subcontractors had taken this education seriously, and read a memo from a subcontractor to FPL, which attributed difficulties with line clearance to other issues not related to their cutting methods.

Mr. Stresau said OSHA regulations state that FPL must trim trees to at least 10 ft. from power lines, and should also take the growth of the tree over a three-year period into account when trimming. He recalled that the Subcommittee and FPL's vegetation manager had agreed that trees "in the wrong place" should be removed rather than trimmed. He felt the memo provided by subcontractors was "a mockery of [Mr. Chancey's] professional opinion," as a particular tree had been damaged by FPL's subcontractors. He concluded that he felt Mr. Chancey wanted the Committee to "confront FPL" with the fact that their actions had gone far beyond what is recommended by OSHA and would result in the death of the tree and creation of a hazard. Mr. Chancey agreed, stating that there was a way to safely cut trees but "[the subcontractors] won't listen."

He concluded that the Committee had been addressing this issue for years now, and said they should "get something done or let's quit" with regard to appropriate line clearance by FPL. He said the Committee could help them learn how to cut trees professionally and safely.

Mr. Stresau suggested that the Committee could show photos of the damaged tree to an FPL representative at a subsequent meeting, and could ask FPL's arborist to attend as well.

Mr. Weiss said the Committee was in agreement that Mr. Chancey was correct about pruning trees, and that the response by FPL's subcontractor was a "cover-up" of incorrect pruning rather than an admission that the job was not done

properly. He said it did not seem that FPL's in-house arborist was held accountable for these errors, and perhaps the UAC should research the prohibition of FPL's trimming trees without a City arborist's direction.

Mr. Stresau suggested if trees had to be removed from beneath power lines, the City could use funds from its Tree Canopy Trust Fund to replace them with more appropriate trees for those locations when possible. He estimated that there was \$150,000 in the Trust Fund that could be put to this use.

Mr. Stresau said Mr. Chancey's photos of the damaged tree could be shown to FPL representative Lynn Shatas at a subsequent meeting; she could be asked to bring FPL's experts to the meeting as well. Mr. Weiss said while this might provide short-term relief, he felt FPL would soon return to "the more efficient, easy way for them" to cut trees.

**Motion** made by Ms. Toothaker, seconded by Mr. West, to ask FPL to bring their arborist in and respond to [Mr. Chancey's] presentation.

She said at that point the Committee would have sufficient evidence to move the issue forward to the City Commission on a formal basis.

In a voice vote, the **motion** passed unanimously.

Mr. Larson observed that there should be a City Ordinance with sufficient oversight to require subcontractors to cut trees properly. Mr. Stresau pointed out that there is a new City Commission that may not be aware of the Committee's history. He added that Assistant City Attorney Bob Dunckel may want to be involved with any such presentation as well, and offered to accompany Mr. Weiss to meet with Attorney Dunckel and explain the Committee's position before its next meeting.

**Motion** made by Ms. Toothaker, seconded by Vice Chair Cole, to accept Mr. Stresau's and Mr. Weiss' offer to meet with Mr. Dunckel. In a voice vote, the **motion** passed unanimously.

Chair Brenneman thanked Mr. Chancey for his presentation.

## **VII. Good of the Committee**

Mr. Chancey announced that he had taken some materials from a site used by the City as a dump and used them as compost. He has since seeded these beds and used them to grow vegetables. The material was primarily composed of seaweed and other vegetation cleaned from the beach.

## **VIII. Announcements**



- **Tuesday March 22, 2011, UAC Regular Meeting**
- **Saturday April 2, 2011, People & Planet / City GREEN Day 10 a.m. – 2 p.m. on Riverwalk**

Chair Brenneman asked Mr. Barnes to intercede on behalf of the Committee to include a green event in the 2011-12 budget. Mr. Barnes said he would ask the Public Works Department to consider funding the event.

She reminded the Committee members that they may serve on either the Tree Subcommittee or the Infrastructure Subcommittee, or on both. Sign-in sheets for these subcommittees will be available at the March meeting.

#### **IX. Adjournment**

There being no further business to come before the Committee at this time, the meeting was adjourned at 8:26 p.m.

[Minutes prepared by K. McGuire, Prototype, Inc.]